

AMENDED IN SENATE JUNE 30, 2003

AMENDED IN ASSEMBLY MAY 5, 2003

AMENDED IN ASSEMBLY APRIL 23, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1379

Introduced by Assembly Member Calderon

February 21, 2003

An act to amend Section 2890.2 of the Public Utilities Code, and to amend Section 1 of Chapter 286 of the Statutes of 2002, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 1379, as amended, Calderon. Telecommunications: mobile telephony service.

Existing law requires a provider of commercial mobile radio service, no later than January 1, 2004, to provide subscribers with a means by which a subscriber can obtain reasonably current and available information on the subscriber's calling plan or plans and service usage.

This bill would instead require a provider of mobile telephony service, no later than January 1, 2005, to provide subscribers with a means by which a subscriber can obtain reasonably current and available information on the subscriber's calling plan or plans and service usage, including roaming usage and charges.

Existing law requires each provider of commercial mobile radio service to inform subscribers of the above information at the time service is established.

This bill would instead require each provider of mobile telephony service to so inform subscribers.

Existing law states the Legislature's intent that reasonably available, current usage information be provided to all commercial mobile radio service subscribers, taking into consideration technical limitations that may affect reporting to a consumer, including, but not limited to, limitations on reporting "roaming" minutes incurred when a commercial mobile radio service subscriber is outside his or her plan coverage area.

This bill would delete that provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2890.2 of the Public Utilities Code is
2 amended to read:

3 2890.2. (a) No later than January 1, 2005, a provider of
4 mobile telephony services shall provide subscribers with a means
5 by which a subscriber can obtain reasonably current and available
6 information, as determined by the provider, on the subscriber's
7 calling plan or plans and service usage, including roaming usage
8 and charges.

9 (b) Each provider of mobile telephony services shall inform
10 subscribers at the time service is established of the availability of
11 the information described in subdivision (a) and how it may be
12 obtained.

13 (c) For purposes of this section, "mobile telephony services"
14 means commercially available interconnected mobile phone
15 services that provide access to the public switched telephone
16 network (PSTN) via mobile communication devices employing
17 radiowave technology to transmit calls, including cellular
18 radiotelephone, broadband Personal Communications Services
19 (PCS), and digital Specialized Mobile Radio (SMR). "Mobile
20 telephony services" does not include mobile satellite services or
21 mobile data services used exclusively for the delivery of nonvoice
22 information to a mobile device.

23 SEC. 2. Section 1 of ~~the~~ Chapter 286 of the Statutes of 2002
24 is amended to read:



1 Section 1. The Legislature finds and declares all of the
2 following:

3 (a) Mobile telephony service subscribers may currently be
4 unable to monitor their call time minutes, including roaming usage
5 and charges, and, as a result, they face higher rates because they
6 unknowingly exceed the number of minutes included under their
7 plans.

8 (b) Mobile telephony service subscribers need reasonably
9 accurate information relative to their current service usage in order
10 to enable them to better utilize their particular calling plans.

11 (c) Providing mobile telephony service subscribers with a
12 reasonable estimate that includes a differentiation between the
13 types of usage covered by their plans, such as “peak” versus
14 “free” minutes, will enable subscribers to make informed
15 decisions about their mobile telephony service.

16 (d) The Legislature intends to require the provision of
17 reasonably available usage information by mobile telephony
18 service providers by January 1, 2005.

19 (e) Technology exists to provide mobile telephony service
20 subscribers with reasonably accurate information relative to their
21 current service usage, including roaming usage and charges, and
22 this type of information can be obtained through a variety of
23 sources, including, but not limited to, cellular telephone providers,
24 Internet Web sites, and traditional telephone customer service
25 providers, such as 1-800 telephone numbers.

26 (f) *The Legislature intends that reasonably available, current*
27 *usage information be provided to all mobile telephony service*
28 *subscribers, taking into consideration technical limitations that*
29 *may affect reporting to a consumer, including, but not limited to,*
30 *limitations on reporting “roaming” minutes incurred when a*
31 *mobile telephony service subscriber is outside his or her plan*
32 *coverage area.*